

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

PHILLIP BAILEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:22-cv-00112-JAR
	)	
MARINA JEAN, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on its own motion. On November 15, 2022, the Court granted plaintiff Phillip Bailey’s motion for leave to proceed in forma pauperis, assessed an initial partial filing fee, and ordered him to file an amended complaint. (Docket No. 5). He was given thirty days in which to comply, and advised that his failure to file an amended complaint would result in the dismissal of this action without prejudice and without further notice.

The Court did not receive from plaintiff an amended complaint. Instead, on December 9, 2022, mail sent to plaintiff at his place of confinement was returned as undeliverable. (Docket No. 6). The return envelope indicated that plaintiff was no longer at the facility in which he had been incarcerated, and that the facility was unable to forward the mail. As no forwarding address had been provided, the mail was not re-sent.

Local Rule 2.06(B) requires every self-represented party to promptly notify the Clerk of Court of any change in address. The rule further provides that “[i]f any mail to a self-represented plaintiff or petitioner is returned to the Court without a forwarding address and the self-represented plaintiff or petitioner does not notify the Court of the change of address within thirty (30) days,

the Court may, without further notice, dismiss the action without prejudice.” E.D. Mo. L.R. 2.06(B).

In this case, more than thirty days have elapsed since plaintiff’s mail was returned as undeliverable. Plaintiff has not provided his new address, nor submitted anything further to the Court. As such, the Court will dismiss this action without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice. *See* E.D. Mo. L.R. 2.06(B). A separate order of dismissal will be entered herewith.

Dated this 13<sup>th</sup> day of January 2023.

A handwritten signature in black ink, reading "John A. Ross". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE